E/CN.4/Sub.2/AC.2/1997/5

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UNITED
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Economic and Social
Council

Distr.
GENERAL

E/CN.4/Sub.2/AC.2/1997/5
20 May 1997

ENGLISH
Original: ENGLISH/FRENCH

COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Working Group on Contemporary
Forms of Slavery
Twenty-second session
2-11 June 1997
Item 5 of the provisional agenda

REVIEW OF DEVELOPMENTS IN THE FIELD OF CONTEMPORARY FORMS OF SLAVERY AND MEASURES TO PREVENT AND REPRESS ALL CONTEMPORARY FORMS OF SLAVERY

Report of the Secretary-General

CONTENTS

	Paragraphs	Page
Introduction	1	3
I. INFORMATION RECEIVED FROM GOVERNMENTS		
Belgium	2	3
Finland	3 - 6	3
Japan	7 - 19	4
Syrian Arab Republic	20 - 24	6

CONTENTS (continued)

		Paragraphs	Page
II.	INFORMATION RECEIVED FROM UNITED BODIES AND AGENCIES		
	United Nations Children's Fund	25 - 29	7
	United Nations International Research and Training Institute for the Advancement of Women	30 - 31	9
	Food and Agriculture Organization of the United Nations	32	9
	United Nations Educational, Scientific and Cultural Organization	33 - 43	9
	World Health Organization	44 - 45	11
III.	INFORMATION RECEIVED FROM INTERGOVERNMENTAL ORGANIZATIONS		
	Organization for Economic Cooperation and Development	46 - 48	12
IV.	INFORMATION RECEIVED FROM NON-GOVERNMENTAL ORGANIZATIONS		
	Andean Commission of Jurists	49 - 65	12
	All Pakistan Women's Association	66 - 68	17
	International Confederation of Free Trade Unions	69	17

Introduction

1. The Secretary-General has received information relating to various sub-items of item 5 of the provisional agenda. A summary of the information received is provided in the present document.

I. INFORMATION RECEIVED FROM GOVERNMENTS

Belgium

[Original: French]
[1 August 1996]

2. Belgium has transmitted to the secretariat the annual progress report on the campaign against traffic in human beings produced by the Centre for Equal Opportunities and Action against Racism, entitled "Traite des êtres humains - vers une politique de volonté commune" ("Traffic in human beings - towards a common will"). This report is available for consultation at the secretariat.

Finland

[Original: English]
[5 May 1977]

3. The Government of Finland considers that the problems of contemporary forms of slavery have to be given increasing attention both at the international and the national level and especially when children are involved. Special attention is given to the sexual abuse of children and to child labour, in accordance with the programmes of action.

4. With regard to the particular issue of child labour, employees who are less than 18 years old fall under the Act on Young Employees, as amended in 1993. The Act includes a general provision by virtue of which an employer is under the obligation to ensure that the work is not harmful for the physical and psychological development of the young employee. It is possible to employ a young person on a permanent basis only if she or he has reached the age of 15 and has finished school. A person who has reached the age of 14 may be given light work for a part of the holidays or for a maximum of two hours per school day. It is forbidden to employ persons under 15 years of age at night.

5. An unaccompanied immigrant intending to work in Finland has to be 18 years old. A younger person may be granted a work permit only in certain cases, for example when the person in question would be working in a company owned by his or her family or relatives, within an organized exchange programme or would be assisting in art shows. The number of such work permits issued in recent years remained small because of the high unemployment rate.

6. The elimination of the use of child labour is one of three priorities during Finland's period (1996-1999) on the Governing Body of the International Labour Organization.

Japan

[Original: English]
[3 March 1997]

7. The Government of Japan has expressed its sincere apologies and remorse to the "wartime comfort women" on many occasions since the Miyazawa Cabinet initially did so in 1992. The Government of Japan, with a view to fulfilling its moral responsibility, supported the establishment of the Asian Women's Fund (AWF) and on 14 June 1995 announced the following measures as the Fund's activities:

(i) Fund-raising among the public to offer atonement from the Japanese people to the former "wartime comfort women";

(ii) Medical and welfare support projects which are of service to the former "wartime comfort women", using governmental resources;

(iii) Expression of sincere apologies and remorse of the Government to the former "wartime comfort women".

8. The Government has borne all the operational costs of AWF and provided all possible assistance to the Fund in its fund-raising, in order for AWF to attain its goals. The Government has been cooperating with AWF in the formulation of policies and guidelines for its activities.

9. AWF started offering the atonement money and delivering the letter from the Prime Minister of Japan to the former "wartime comfort women" in the Philippines on 14 August 1996 and in the Republic of Korea on 11 January 1997.

10. With regard to the medical and welfare support projects which are to be funded from governmental resources, the details are being discussed. AWF started implementing projects for seven Korean former "wartime comfort women" on 11 January 1997, and the Government of the Philippines and AWF signed a memorandum of understanding on 15 January to start projects in the Philippines.

11. To promote the activities of AWF, the Government of Japan, in cooperation with AWF, will continue its efforts to seek the understanding of the Governments and authorities of the countries and territories concerned.

1. Letter from the Prime Minister of Japan

12. The Government of Japan has expressed its sincere apologies and remorse regarding the issue known as "wartime comfort women" on various occasions so far. On behalf of the Government, the Prime Minister is to send a letter expressing once again apologies and remorse directly to the former "wartime comfort women", together with the atonement money collected from the Japanese people by AWF. On 14 August 1996, the Chief Cabinet Secretary officially announced the contents of the Prime Minister's letter at a press conference.

2. Atonement from the Japanese people

13. The Government of Japan has been exerting the utmost efforts to raise public awareness and achieve better understanding of the issue known as "wartime comfort women" and has provided all possible assistance to AWF in its fund-raising among the public to express atonement to the former "wartime comfort women". As a result, a wide range of people including individuals, representatives of enterprises, labour unions and political parties, Diet members and cabinet ministers have shown their support for the purpose of AWF. As of 29 January 1997, about 472 million yen has been contributed to the Fund and the amount is now increasing steadily. In a meeting held on 19 July 1996 (the first anniversary of the establishment of AWF), the Board of Directors of the Fund decided that AWF would provide 2 million yen to each former "wartime comfort women" in the Republic of Korea, the Philippines and Taiwan. In the Philippines, AWF announced the start of its activities on 13 August and has delivered atonement money to those who have completed the identification process being carried out by the Government of the Philippines. As of 25 January 1997, nine former "wartime comfort women" had accepted the atonement money. AWF also offered atonement money to seven former "wartime comfort women" in the Republic of Korea who had expressed their wish to accept it. Together with the atonement money, the letter from the Prime Minister of Japan, a letter from the president of AWF which explains the purpose and effect of the project and messages from the Japanese contributors have also been conveyed to each of them.

3. Medical and welfare support projects to be funded from governmental resources

14. In order to fulfil its responsibility, the Government of Japan has decided to disburse about 700 million yen from the national budget for the medical and welfare projects of AWF for the former "wartime comfort women" in the Republic of Korea, the Philippines and Taiwan over a 10-year period. Such plans as the improvement of housing, nursing services and assistance in the provision of medical services and medicines are being considered for implementation under the projects. The projects will be carried out in cooperation with the relevant Governments and authorities as well as relevant organizations, the current circumstances of the former "wartime comfort women" being fully taken into account.

4. Projects in Indonesia

15. The Government of Japan and AWF explored the most appropriate project to be implemented in Indonesia to express atonement from the Japanese people. As a result, AWF decided to support a project proposed by the Government of Indonesia called the "Promotion of social welfare services for elderly people in Indonesia", instead of implementing projects for each individual former "wartime comfort woman", partly because the Government of Indonesia finds it difficult to identify former "wartime comfort women". Under this project, new facilities, attached to the public homes for elderly people run by the Department of Social Affairs, will be built for the elderly who have no family or relatives to look after them and are unable to work because of illness or physical handicap. For entry to these facilities, priority will be given to

those who proclaim themselves as former "wartime comfort women", and facilities will be established mainly in the regions where former "wartime comfort women" appear to have lived.

5. Efforts in the field of education

16. The Government of Japan attaches great importance to the enlightenment and school education of the Japanese people. The Government is particularly intensifying its efforts in the field of school education through which the young people who will lead the next generation correctly understand the facts of modern Japanese history. Most high school textbooks now have references to the issue known as "wartime comfort women" and all junior high school textbooks will do so from next April.

6. Efforts to address contemporary issues concerning the honour and dignity of women

17. Recognizing that the issue known as "wartime comfort women" seriously injured the honour and dignity of many women, the Government of Japan considers that it is its responsibility to address contemporary issues on women such as violence against women. The Government of Japan provides financial contribution to AWP activities towards the solution of such contemporary issues on women.

18. AWF has been supporting the activities of other organizations involved in various contemporary issues on women, for example, by jointly holding an international forum with the Economic and Social Commission for Asia and the Pacific on the theme of contemporary issues on women such as domestic violence. In addition, AWF is to start research and fact-finding projects on such problems as violence against women and its causes, and on preventive measures, as well as projects to develop counselling for women who suffer from such problems and the techniques to perform the counselling effectively.

19. An annex containing the history of the development of the Asian Women's Fund, as well as a letter from the Prime Minister of Japan is available for consultation in the Secretariat.

Syrian Arab Republic

[Original: Arabic]
[24 June 1996]

20. Articles 25 to 49 of chapter IV of the Syrian Constitution emphasize public freedoms, rights and obligations. For example, freedom is regarded as a sacred right of every citizen and is guaranteed by the State; no citizen may be expelled from the territory of his homeland; freedom of belief is safeguarded; the State respects all religions, work is a right and a duty of every citizen, which the State shall endeavour to secure for all its citizens; and citizens practise their rights and enjoy their freedoms in accordance with the law (art. 7 of the Constitution).

21. The Syrian Arab Republic has ratified the Forced Labour Convention No. 29 of 1930 and the Abolition of Forced Labour Convention No. 105 of 1957.

In 1959, the Syrian Arab Republic also acceded to the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others and the Supplementary Convention on the Abolition of Slavery. Moreover, the Syrian Arab Republic is a party to 46 international labour conventions concerning human rights, which it is under an obligation to apply in the legislative field and in actual practice.

22. In addition to the constitutional provisions concerning human rights, the Penal Code promulgated by Legislative Decree No. 148 of 1949, as amended, prescribes the penal sanctions for every violation of human rights, including penalties for offences affecting children or their parentage (arts. 450-478), infringements of the custody of minors (arts. 480-483), abandonment of children or aged persons (arts. 484-486) and offence prejudicial to public decency and morality, such as debauchery (arts. 493-496), enticement, indecency and trespassing on premises reserved for women (arts. 504-508), incitement to prostitution (arts. 509-516), breaches of public decency and morality (arts. 517-520), deprivation of liberty (arts. 555-556), etc. The Prevention of Prostitution Act No. 10 of 1961 also combats the traffic in sex and sexual exploitation by prescribing a penalty of one to five years' imprisonment for anyone who incites a male or female person to engage in debauchery or prostitution or aids or abets therein. The penalty is increased to a term of from three to seven years' imprisonment if the victim is under 16 years of age. Syrian legislation also protects children from all forms of abduction and illegal transfer, which constitute offences punishable under articles 478, 479, 481 and 483 of the Penal Code. In addition, the Juvenile Delinquents Act No. 18 of 1974 regulates the affairs of this category of juveniles and safeguards their rights in regard to methods of prosecution, reform and welfare.

23. With regard to child labour, the Syrian Labour Act No. 91 of 1959 prohibits the employment of children under 12 years of age, who are not even permitted to enter places of work. The Minister for Social Affairs and Labour is empowered to prohibit the employment of juveniles under 15 years of age in some industries designated by him. He is also empowered to prohibit the employment of juveniles under 17 years of age in some other industries. The Act does not permit the employment of juveniles at night or on overtime and specifies their working hours, their rest periods and their mealtimes.

24. The various types of human rights of all citizens of Syria are guaranteed by the Constitution and the law, which are applied by the authorities concerned with this matter. There is no form of contemporary slavery in Syria.

II. INFORMATION RECEIVED FROM UNITED NATIONS BODIES AND AGENCIES

United Nations Children's Fund

[Original: English]
[4 April 1997]

25. As stated in the UNICEF mission statement adopted by the Executive Board in January 1996, UNICEF's work is guided by the Convention on the Rights of the Child and "strives to establish children's rights as enduring ethical

principles and international standards of behaviour towards children". In keeping with its mission, UNICEF is actively engaged in supporting the implementation of the Convention on the Rights of the Child through a variety of activities, particularly through its country programme. There are many new challenges that deserve UNICEF's attention and it is working with other United Nations bodies and agencies, including WHO, UNHCR, UNAIDS, UNESCO, ILO and the Committee on the Rights of the Child, in support of child rights.

26. UNICEF is also increasing its efforts concerning children who are in need of special protection measures, including those who may be more vulnerable to contemporary forms of slavery, such as the sale and trafficking of children, child prostitution and child pornography, exploitative child labour and bonded labour. (A copy of the policy paper adopted by the UNICEF Executive Board in July 1996, entitled "A review of UNICEF policies and strategies on children in need of special protection measures", which focuses on the heightened attention UNICEF is now devoting to these issues, and a copy of UNICEF's statement to the Working Group on the Optional Protocol on the sale of children, child prostitution and child pornography at its session held in January 1997, enclosed with UNICEF's reply, are available for consultation in the Secretariat.)

27. UNICEF is striving to increase the public's awareness about gross violations of children's rights. In the 1997 State of the World's Children report, which focuses on exploitative child labour, UNICEF has declared that hazardous and exploitative child labour, including bonded labour and commercial sexual exploitation violates the Convention on the Rights of the Child. In addition, UNICEF is calling on Governments to take specific action that will guarantee wider protection, such as requiring birth registration of all children, and requiring national and international corporations to adopt codes of conduct and procurement policies that protect children from exploitation and abuse. UNICEF adopted its own procurement policy in 1995 in order to ensure that it will not do business with any supplier that violates the rights of the child.

28. UNICEF has consulted its offices in different regions of the world in order to respond to the question regarding the issue of new technologies. UNICEF country offices operating in developing countries have not yet produced any reliable data on the use of the Internet, or of other new technologies, as a means to promote child pornography and sex tourism. In Ireland, the National Committee for UNICEF is participating in a working party to examine the availability and dissemination of child pornography on the Internet.

29. In response to the question concerning the sale and trafficking of organs, UNICEF country offices have examined the reliability of allegations regarding the removal of organs and tissues of children and adults for commercial purposes. To date, UNICEF has not discovered any reliable evidence to support these allegations, nor does it have any significant information to contribute in this regard.

United Nations International Research and Training Institute for the Advancement of Women

[Original: English]
[19 March 1997]

30. On the issue of traffic in persons, INSTRAW, the Global Alliance Against Trafficking in Women (GAATW), the Foundation against Trafficking in Women (STV), and the Centro de Orientación e Investigación Integral Inc. (COIN), organized the Regional Encounter - Latin America and the Caribbean on Trafficking in Women and Migration: Prostitution, Domestic Work and Marriage, in Santo Domingo, Dominican Republic, on 11 and 12 December 1996, at INSTRAW headquarters. The objective of the meeting was to present and share the findings included in the regional report on trafficking in women, commissioned by the Special Rapporteur on violence against women, with STV and GAATW, and to plan follow-up action within the region.

31. The General Assembly in its resolution 51/66 invited the United Nations in general and INSTRAW in particular to formulate manuals for the training of personnel who receive and/or hold in temporary custody victims of gender-based violence, including trafficking, with a view to preventing the exacerbation of post-traumatic stress suffered by such victims. INSTRAW was requested, in cooperation with other United Nations agencies and NGOs, including those organizations concerned with traumatic stress, to examine available research material or studies in the subject with a view to incorporating them in the manual.

Food and Agriculture Organization of the United Nations

[Original: English]
[9 April 1997]

32. The Food and Agriculture Organization of the United Nations stated that none of the projects formulated or supported by the Organization have in any way supported the use of bonded labour. The Organization seeks to ensure, at the appraisal and formulation stages of relevant projects, the protection of children and other persons exposed to contemporary forms of slavery, and appreciates the recommendations of the human rights bodies to that effect.

United Nations Educational, Scientific and Cultural Organization

[Original: English]
[14 April 1997]

33. The United Nations Educational, Scientific and Cultural Organization pointed out that the confidential procedure foreseen by decision 104 EX/3.3 of the Executive Board for the examination of communications regarding alleged violations of human rights is not aimed only at children and persons subject to "contemporary forms of slavery", but rather at all alleged violations of human rights relevant to UNESCO's field of competence.

34. Regarding standards designed to ensure the protection of children and other persons exposed to contemporary forms of slavery, plans are under way to

launch a new interregional pilot education project within the framework of the UNESCO slaves route project and the UNESCO associated schools project network. The project will involve associated schools in Europe, Africa and the Americas (particularly the Caribbean) in the collection and analysis of data on the consequences of the slave trade (past, present and future) and the promotion of intercultural learning through school exchanges and joint activities. Reflection and action in support of resolution 1996/61 could be included in this project for which extrabudgetary support is currently being sought.

35. Since 1990, the date of the creation of UNESCO's programme for the education of street and working children, attention has been focused on the education of this category of children within appropriate rehabilitation institutions in operation in the member States. To this end, the efforts of UNESCO in this field are directed to developing partnership with performant rehabilitation institutions or centres across the world - although this aspect of the activities proves to be the most daunting one.

36. UNESCO will continue to support action to combat violence against women. In cooperation with member States, national institutions, NGOs and United Nations agencies, activities will be carried out to strengthen preventive action against traffic in women and to limit the effects of female prostitution (forced labour in the formal and informal sphere) in migration-related phenomena.

37. Support will also be given to international standards with a view to combating the sexual exploitation of human beings.

38. Support will be continued for initiatives taken by the relevant professional organizations with a view to eliminating a portrayal of women that provokes violence and to promoting a more positive and diversified image of women in the media. By means of studies on the causes of violence against women, including prostitution, UNESCO will help to foster public awareness of the extreme forms of discrimination suffered by women, particularly in conflict situations. In collaboration with NGOs, training activities and advisory services will be provided in order to enhance the participation of women in democratic life.

39. UNESCO will continue to give priority attention to women and girls in countries ravaged in the recent past by armed conflict, aimed at alleviating the effects of violence and providing education to refugees and displaced persons; for example, providing assistance to women and children who have been victims of rape as a tool of war in Bosnia and Herzegovina. Three programmes will be developed in the next two years:

(a) Strengthening of reception capacity and care of women and children war victims;

(b) The creation of a centre for initiatives to combat post-war marginalization and exclusion in the town of Gorazde;

(c) Strengthening the role of women in the process of peace and democracy and their participation in the economic and social life of Bosnia and Herzegovina.

40. In Bosnia and Herzegovina, emphasis in the provision of assistance to displaced women and other war-affected groups will shift from humanitarian aid to income-generating activities. Drawing on UNESCO and the Grameen Bank's experience in Bangladesh, UNESCO and the World Bank intend to help displaced women in the Federation of Bosnia and Herzegovina and in the Republic of Srpska in their efforts to overcome past tragedy and find a new, economically sustainable future. The project objective is to help this group to develop permanent income-generating activities based on the production of knitwear for local and foreign markets while building their self-confidence and professional skills. Other activities include an exhibition of Bosnian handicrafts which will be organized at UNESCO in December 1997 and a round-table on "women and microcredit".

41. Women's increasing initiatives in conflict resolution, their struggle for democracy and human rights in the Mediterranean region, as well as their increasingly prominent role in sustaining economic and social development, place them at the core of UNESCO's Mediterranean and Culture of Peace Programme. The main objective of the programme is devoted to the promotion of the status of women within the region, including the Red Sea area, and to encourage exchanges and trans-Mediterranean cooperation in a context of equality of individuals and cultures, as the necessary condition for the establishment of peace and security.

42. Other activities in this region include work on the subject of migrant women: how to ensure their successful integration and facilitate their voluntary return to their country of origin, through the provision of training programmes and support to female migrant populations.

43. With regard to the problem of the traffic in organs and tissues, UNESCO is carrying out activities with respect to bioethics and the protection of human rights and other activities under the aegis of the International Bioethics Committee established in 1993. UNESCO submitted to the 93rd Conference of the Inter-Parliamentary Union in 1995 a document on this specific subject. Chapter II of this document addresses the issue of organ and tissue transplantation.

World Health Organization

[Original: English]
[1 April 1997]

44. WHO referred to the report of the first meeting of the World Health Assembly Task Force on Organ Transplantation, held in Annecy on 10 and 11 October 1996. The report was well received by the WHO Advisory Committee on Health Research, at its October 1996 session, and has now been forwarded to the Director-General.

45. With regard to traffic in organs, while WHO continues to have an active interest in the question of reliability of allegations regarding the removal of organs and tissues of children and adults for commercial purposes, its Constitution does not appear to permit it to undertake, either alone or in conjunction with other organizations, investigations in situ to determine

the validity or otherwise of such allegations. On the other hand, WHO is always willing to share any relevant information received on this matter.

III. INFORMATION RECEIVED FROM INTERGOVERNMENTAL ORGANIZATIONS

Organization for Economic Cooperation and Development

[Original: English]
[10 April 1997]

46. With regard to the issue of the "adverse effect on children of new technologies, such as the Internet, that are used to promote inter alia child pornography and sex tourism", OECD provided a summary of discussions at the thirty-first session of the OECD Committee on Information, Computer and Communications Policy (27-28 February 1997) relating to international cooperation with regard to the Internet.

47. France has proposed to undertake a study of conduct, content and ethical issues raised by new open global information and communication networks (such as the Internet) aimed at reviewing existing national legislation and practices, identifying the issues and the solutions attempted, identifying the areas in which international cooperation is indispensable and suggesting options for international cooperative action. Among the areas covered will be the use of the Internet for the kinds of purposes referred to by the Centre for Human Rights. A report will be prepared for the next session of the Committee in October 1997.

48. Belgium has made a proposal for international law enforcement cooperation concerning the use of the Internet by criminal paedophile networks. While there was consensus that the problem raised should be addressed with a strong political statement in the communiqué of the 1997 meeting of the OECD Council at ministerial level, it was felt that the preparation of a convention would be more appropriately addressed in other forums, especially the Council of Europe where the appropriate structures already exist and with which the OECD might cooperate, but maybe also in the United Nations system because of the truly global dimension of the problem.

IV. INFORMATION RECEIVED FROM NON-GOVERNMENTAL ORGANIZATIONS

Andean Commission of Jurists

[Original: English]
[23 January 1997]

49. Slavery-related practices are still a persistent problem in the Andean region. The extreme poverty and isolation of many of the indigenous populations in our countries make them especially vulnerable, often turning them into victims of bonded labour or subjecting them to execrable labour conditions.

50. The following are examples of such human rights violations which took place during 1996, classified by subject rather than by country, in order to provide better criteria for analysis.

Child Labour

51. As is known, child labour is in high demand, since children are cheap workers and defenceless in the face of adult abuse. Employers prefer them for certain types of labour, for their low stature and manual skills, especially in mining and agriculture. Children working in both cities and rural areas, are exposed to physical and sexual abuse. When they are involved in work in remote sites, children are often kidnapped and held against their will, without pay, with no chance to escape.

Peru

52. Several institutions have reported how some 6,000 highland children - mainly boys - are being held hostage in jungle camps to work illegally at river gold-mining in Madre de Dios, in the southern Peruvian jungle. Poverty and the lack of opportunities of these children's families are the reasons mentioned for the children's involvement in such a practice. Often the child's parents are the ones to send their children to the river mines. The national Integral Attention System for Children and Adolescents is working jointly with the ILO office in Lima in a national protection plan to prevent children from being subjected to such exploitation.

Debt Slavery

53. A person subject to debt slavery cannot leave his work or the land he cultivates until he has repaid the money he owes. Slavery occurs when, in spite of all efforts, the debtor is unable to pay, sometimes even handing the debt over to his children.

Bolivia

54. Enormous debt contracted by the indigenous (Quechua, Aymara and Guarani) populations or the Bolivian North, South and Oriental regions subjects them to conditions of slavery. Entire indigenous families are forced to work for bosses who pay them not in cash but in kind, with wages established by the bosses themselves without comparison to those received by workers in other areas. Often the isolation of the working zone does not allow the indigenous populations to have access to alternative places in order to buy the basics they need, so that they get more and more into debt with the bosses who provide them with these items.

55 The Bolivian press has denounced the "ceding" of whole communities to timber merchants, farmers or cattle ranchers, as was the case of Tacanas, a community north of La Paz, which was included in a woodland concession to a timber merchant's company at the beginning of the decade by a resolution of the Agrarian Reform Council, which grants lands, in some cases including the traditional inhabitants.

56. It should be noted that Bolivia ratified the 1956 Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery in 1957. Article 1 of this instrument prohibits debt bondage.

Peru

57. Timber patrons subjected the Ashannkas - indigenous people of Peru's central jungle region - to slave-like working conditions under a debt system. The patrons reportedly made the Ashaninkas work up to 20 years to pay for a machete or a pair of trousers. As a rule, the workers could never work enough to pay off their debts.

58. In what constitutes a contemporary form of the slave trade, only three or four years ago Ashaninkas would be kidnapped, put in the holds of river-boats and taken to Brazil to be sold to settlers or timber merchants at the border.

Bonded labour

59. Remote regions are often fertile grounds for unscrupulous groups to subject indigenous people and use them for their own purposes. Indigenous people seldom have access to governmental institutions where such practices can be denounced.

Peru

60. Indigenous people from the Witoto, Bora and other Amazonian tribes have been kidnapped by drug dealers to transport drugs through the jungle to Colombia. Each of them receive US$ 250 for a trip three to four days long accompanied by well-armed "sicarios" (mercenaries) to guard the drugs and control rebellions. This is one of the most recent and effective forms of transporting large amounts of drugs.

Venezuela

61. In March 1996 thousands of "garimpeiros" (gold prospectors) working in Yanomami Indian lands in an area of some 2,200 km on the borders of Brazil, Venezuela and Guyana were evicted by the Government of Brazil. The Garimpeiros' activities endanger the lives of the indigenous people living in the area in several ways, which range from the spread of contagious illnesses to being forced into bonded labour.

Labour conditions

62. One of the features of bonded labour is the lack of appropriate working conditions for the labourers, which often put their lives and well-being at risk.

Colombia

63. At least 20 Wayuu Indians working in the salt mines died during the month of July 1996 in a cholera epidemic in the Guajira region in the north of Colombia, while 249 cases were registered during the first semester of 1996. Health authorities have indicated the lack of drinking water in the region and overcrowding as the main causes for the spread of the epidemic.

Peru

64. In June 1996, representatives of indigenous communities of the lower Uruba ba, where the Camisea gas will soon start to be explcited, denounced the manner in which Chevron and the Shell-Mobil consortium exploit some 400 indigenous workers. These workers are subject to 12-hour shifts in exploration work, receiving a wage of some 8 soles (approximately US$ 3) per day. Workers are also made to stay at the sites for as long as three months without being able to communicate with their families. The kind of work they do does not reach under minimum safety conditions, and has caused the death and illness of many of the indigenous workers. Another of the indigenous people's concerns is the lack of will of the above-mentioned companies to enforce anti-pollution policies.

Views and suggestions for the future action of the Working group

Information and education

(i) The Working Group should transmit periodically to Governments information it receives, requesting reports on the decisions the authorities have adopted to prevent, investigate and/or sanction these practices.

(ii) Training of indigenous leaders and of representatives of concerned social organizations is essential to provide adequate protective mechanisms with respect to abuses related to themes which the Working Group addresses.

(iii) The international instruments on slavery, servitude, bonded labour and related subjects should be distributed and promoted in conjunction with the training of non-governmental organization lawyers and government officials (including judges and prosecutors), as well as human rights activists, on the means these instruments provide for the enforcement of rights.

Aid

(i) The Working group could implement technical assistance programmes, through the United Nations Trust Fund on Contemporary Forms of Slavery, for Governments and non-governmental organizations on the prevention mechanisms for this type of human rights violations. For instance, a specialized programme on children's labour conditions could be developed.

(ii) Organizations such as ILO, UNICEF, WHO and UNESCO already carry out extensive and commendable programmes on the subject in the Andean region. It would be advisable for the Working Group to work in coordination with them in order not to duplicate efforts and to establish common standards on the subject.

Child labour

(i) This subject should be dealt with from a broad perspective, considering the social role fulfilled by child labour within Andean and Amazonian traditional households. A committee of experts could be set up to look into the specific circumstances where child labour could be considered a form of bonded labour. One of the arguments against children working during the planting and harvest seasons in rural areas, for instance, is that it harms their schooling. This problem could be faced by designing an alternative school year with holidays that coincide with those periods in the agricultural areas concerned.

(ii) Additionally, the Working Group should request the Sub-Commission on Prevention of Discrimination and Protection of Minorities to adopt a resolution urging Member States to adopt consistent and coherent policies on the subject.

States

(i) Member States need to implement specific national programmes directed towards eliminating bonded labour and child labour. Such programmes could be headed by special government authorities consisting of joint legislative-executive investigative commissions on bonded labour created to oversee and inquire into the cases denounced.

(ii) Non-governmental organizations, indigenous peoples and other social organizations should be represented on such commissions. It is advisable that the judiciary systems appoint specialized judges and prosecutors in areas where these type of practices are most common.

Visits by special rapporteurs

65. In order to provide further mechanisms to strengthen the struggle against contemporary forms of slavery, it would be advisable for the Working Group to suggest to the Commission on Human Rights that the Special Rapporteurs with mandates with some relation to the issues of bonded and child labour (such as the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, the Special Rapporteur on the sale of children, child prostitution and child pornography, and the Representative of the Secretary-General on internally displaced persons) pay particular attention to these issues during their country visits and general research; and include them in their annual reports to the Commission.

All Pakistan Women's Association

[Original: English]
[27 January 1997]

66. The All Pakistan Women's Association stated that the removal or organs and tissues of children and adults for commercial purposes is non-existent in Pakistan.

67. With regard to migrant workers, the Organization declared that migrant workers are from Afghanistan mostly. They are very successful in the transport business and are hired as guards. They are sometimes also involved in drug trafficking. In this regard, Pakistan is adversely affected by migrant workers. However, the Government is taking every step to eliminate the curse of drug trafficking.

68. Bonded labour in Pakistan is due to the feudal system nurtured during the British rule. The feudal landowners own vast areas of agricultural land and the labourers on their land are practically slaves. There has been an awakening of public awareness on this issue and there is now a strong movement on the part of some NGOs working in the areas concerned towards the abolition of forced labour in any form. They are taking the issue very seriously and are trying to liberate the labourers in question. The interim Government is also considering action.

International Confederation of Free Trade Unions

[Original: English]
[7 April 1997]

69. ICFTU sent the Secretariat copies of two major reports it prepared in 1995 on forced labour in Myanmar and in Pakistan. 1/ These were both produced as submissions under the Generalized System of Preferences (GSP) of the European Union, which precludes the provision of trade preferences to any country using forced labour or slave labour. As a consequence of the ICFTU action, Myanmar was suspended from the European Union's GSP indefinitely with effect from 25 March 1997.

Note

1/ Available for consultation in the Secretariat.

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